

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

In Re:

WILLIAM W. MORRIS and
JACQUELINE L. MORRIS,

Debtors.

Case No. 11-07682-swd
Chapter 7; Filed 07/19/2011

HONORABLE SCOTT W. DALES
Bankruptcy Judge

MOTION FOR 2004 EXAMINATION

NOW COMES, Kellogg Community Federal Credit Union (“Credit Union”), through its attorneys, Mika Meyers Beckett & Jones PLC, and pursuant to BR 2004 and L.BR 2004, moves as follows:

1. The Debtors filed their voluntary Chapter 7 Petition on July 19, 2011.
2. Based on proofs of claim filed as of this date, the Credit Union’s unsecured claim constitutes approximately 98% of all unsecured claims filed.
3. The Chapter 7 Trustee is attempting to market and possibly sell the bankruptcy estate’s interest in a September 24, 2007 Land Contract between Hots, Inc., the Land Contract seller, and HOA Enterprises, Inc., the Land Contract buyer, together with the bankruptcy estate’s interest in a Stock Purchase Agreement of the same date.
4. It is the Credit Union’s belief that the Chapter 7 Trustee has not received all of the documentation relating to these transactions. The Credit Union desires to exam the files of Richard A. Cascarilla/Murphy & Spagnuolo, P.C., one of the attorneys representing the parties to the agreements.

5. Pursuant to L.BR 2004(a), the undersigned contacted Attorney Cascarilla and arranged a mutually convenient date, time and place for the 2004 examination of Attorney Cascarilla, being Thursday, August 30, 2012, at 10:00 a.m., at Attorney Cascarilla's offices located at Murphy & Spagnuolo, P.C., 4572 South Hagadorn, Suite 1A, East Lansing, Michigan 48823-5385.

WHEREFORE, the Credit Union requests that it be permitted to take a Rule 2004 Examination of Attorney Cascarilla, directing him to produce and permit inspection and copying of his files relating to the above-referenced transactions, at the time and place specified herein, or at such other time deemed appropriate.

Respectfully submitted,

MIKA MEYERS BECKETT & JONES, PLC
Attorneys for Kellogg Community Federal
Credit Union

Dated: August 16, 2012

By: /s/ Daniel R. Kubiak
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